### 2003 DRAFTING REQUEST

#### Bill

Received: 12/18/2002			Received By: agary						
Wanted: Soon			Identical to LRB:						
For: Adı	ministration-B	Budget			By/Representing: Vail				
This file	may be shown	to any legislate	or: NO		Drafter: agary	Drafter: agary			
May Contact:			Addl. Drafters:						
Subject:	Transp	ortation - high	ways		Extra Copies: TNF, PJH				
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DOA:	Vail - BB027	4,							
Topic:									
Increase project	authorized tran	nsportation reve	enue bonding	level; autho	orize bonding for N	Iarquette inter	change		
Instruct	ions:								
See Atta	ched								
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/3	agary	kgilfoy	rschluet		amentkow		State		

02/06/2003 01:17:11 PM Page 2

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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FE Sent For:

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/3	agary	kgilfoy	rschluet		amentkow				

02/03/2003 11:11:16 AM Page 2

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FE Sent For:

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project ———		sportation reve	enue bonding	g level; autho	rize bonding for M	Sarquette inter	change	
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02/03/2003 07:45:55 AM Page 2

FE Sent For:

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### 2003 DRAFTING REQUEST

### Bill

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DOA:	.Vail - BB027	4,							
Topic:									
Increase project	authorized tran	nsportation reve	enue bondin	g level; autho	orize bonding for N	/larquette inter	change		
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See Attac	ched								
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### 2003 DRAFTING REQUEST

Bill

Received: 12/18/2002

Received By: agary

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Vail

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject:

**Transportation - highways** 

Extra Copies:

TNF, PJH

Submit via email: NO

Pre Topic:

DOA:.....Vail - BB0274,

Topic:

Increase authorized transportation revenue bonding level; authorize bonding for the Marquette project

**Instructions:** 

See Attached

**Drafting History:** 

Vers.

Drafted

Reviewed

**Typed** 

Proofed

Submitted

Jacketed

Required

/?

agary

State

FE Sent For:



SCOTT McCALLUM
GOVERNOR
GEORGE LIGHTBOURN
SECRETARY
Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date:

December 10, 2002

To:

Stephen R. Miller, Chief

Legislative Reference Bureau

From:

Benjamin J. Vail

Policy and Budget Analyst

ECR Team

Subject:

**Biennial Budget Drafting Request** 

Agency 395 - Department of Transportation (DOT)

#### **Budget Office Request Title:**

Increase Authorized Transportation Revenue Bonding Level for Upcoming Biennium

#### Request Description:

- Increase bonding authority by \$784,595,500 for the major highway program.
- Allow revenue bonds to be issued for up to 55% of the cost of the Marquette Interchange project as defined in the statutes.
- Create a new appropriation titled "Southeast Wisconsin freeway rehabilitation, service funds."
- Specify the appropriation is for all moneys received from the fund created as reimbursement for temporary funding of projects related to the reconstruction of the Marquette Interchange project for the purpose of financing the project.

Further information is provided in the attached issue paper prepared by the department.

BB274

#### Department of Transportation 2003-2005 Biennial Budget Request STATUTORY MODIFICATIONS

DIN NUMBER:

5301.

**TOPIC:** 

Increase Authorized Transportation Revenue Bonding Level

#### **DESCRIPTION OF CHANGE:**

Increase authority for the Transportation Bonding Program (s. 84.59 Wis. Stats.) by \$784,595,500 (from \$1,753,067,500 to \$2,537,663,000) for the major highway program. Also, allow revenue bonds to be issued for up to 55% of the cost of the Marquette Interchange project as defined in s. 84.014 Wis. Stats. The Department also requests the following statutory modifications:

Create a new appropriation under s. 20.395(3) Wis. Stats., request sub. (ar), titled "Southeast Wisconsin freeway rehabilitation, service funds" and specify the appropriation is for all moneys received from the fund created under s. 18.57(1) Wis. Stats., as reimbursement for temporary funding under sub. (9)(th) of projects related to the reconstruction of the Marquette Interchange as defined by s.84.014(1)(b) and (c) Wis. Stats., for the purpose of financing such project.

#### JUSTIFICATION:

- The authorized level of revenue bonds established under s. 84.59 Wis. Stats., is adjusted to reflect upcoming bonding needs at the established appropriation dollar level in the biennial budget.
- Under current law the Department is authorized to issue \$1,753,067,500 of revenue bonds to finance projects. At the end of the 2001-03 biennium, \$109,704,500 of bonding authority will remain. In order to determine the level of additional authority required in the budget, projected bonding needs are subtracted from the remaining balance. The objective is to obtain sufficient bonding authority to complete project funding at biennium end. The required authority calculation is as follows:

 Balance of Project Bonding Authority
 \$ 109,704,500

 2003-05 Bonds
 \$ -754,000,000

 2005-07 Bonds
 \$ -140,300,000

 Additional Authority Required
 \$ 784,595,500

• The bonding adjustment identified in this item is consistent with the level of bonding for major projects included in this budget request as well as the Marquette Interchange.

Program 3: State Highways

339

#### **2003 - 2004 LEGISLATURE**

FAX Entigotiation

interchange project

LRB-1191/1

DOA:.....Vail - BB0274, Increase authorized transportation revenue bonding level; authorize bonding for the Marquette

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau TRANSPORTATION HIGHWAYS

Under current law, the building commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$1,753,067,500. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards. However, under current law, the Marquette interchange reconstruction project is not classified as a major highway project.

This bill increases the revenue bond limit from \$1,753,067,500 to \$2,537,663,000. Additionally, the bill provides that revenue bond proceeds may be expended for the Marquette interchange reconstruction project.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

11.

	<b>V</b>	
SECTION 1.	20.395 (3) (cs) of the statu	tes is created to read:

20.395 (3) (cs) Marquette interchange reconstruction, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of the Marquette interchange reconstruction project specified under s. 84.014 if financed under s. 84.59, for the purpose of financing such project.

 $$^{****}$Note:$  This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

### SECTION 2. 20.395 (4) (jr) of the statutes is created to read:

20.395 (4) (jr) Marquette interchange reconstruction project revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the Marquette interchange reconstruction project under s. 84.014 for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

## SECTION 3. 20.395 (9) (th) of the statutes is amended to read:

20.395 (9) (th) Temporary funding of projects financed by revenue bonds. A sum sufficient to provide initial, temporary funding for any project to be financed under s. 84.59 which that is a major highway project enumerated under s. 84.013 (3) er, a project under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01 (30), or the Marquette interchange reconstruction project under s. 84.014. The department shall keep a separate account of expenditures under this paragraph for each such project. As soon as moneys become available from the proceeds of the

obligation issued under s. 84.59 to finance that project, an amount equal to the
amounts expended under this paragraph shall be paid from those proceeds into the
transportation fund and credited to the appropriation account under sub. (3) (br) or (cs) or (4) (at).

SECTION 4. 84.014 (2) of the statutes is amended to read:

84.014 (2) Subject to ss. 84.59, 84.555, and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the existing freeway, may be funded only from the appropriations under ss. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) and 20.866 (2) (uum).

SECTION 5. 84.014 (5m) (a) of the statutes is amended to read:

84.014 (5m) (a) Notwithstanding any other provision of this section, the department may not expend any moneys from the appropriations under s. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes 5 miles or more in length to the existing freeway unless the project is specifically enumerated in a list under par. (b).

SECTION 6. 84.59 (1) of the statutes is amended to read:

84.59 (1) Transportation facilities under s. 84.01 (28) and, major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18, except that funding for the Marquette interchange reconstruction project with such proceeds may not exceed 55% of the total funds expended for the Marquette interchange reconstruction project.

Note

X

**SECTION 7.** 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed \$1,753,067,500 \$2,537,663,000, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and, major highway projects for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

(END)

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1191/1dn ARG:

X

X

Date

ATTN: Benjamin Vail

Statutory section 84.014 addresses Southeast Wisconsin freeway rehabilitation projects, one of which is the Marquette interchange reconstruction project. By statute, these projects are not "major highway projects". Under existing law, general obligation bonding may be used for these projects only if there is a shortfall in federal highway funding, but no revenue bonding may be used for these projects. See ss. 84.555 and 84.59. Based upon my interpretation of the drafting instructions, the attached draft allows revenue bonding to fund the Marquette interchange reconstruction project, but not any other Southeast Wisconsin freeway rehabilitation project. Is this consistent with your intent? Because the draft allows revenue bonding only for the Marquette interchange reconstruction project, the appropriations necessary to provide for such bonding reference only this project and not "Southeast Wisconsin freeway rehabilitation" projects.

I also note that the increased authorized bonding level of \$2,537,663,000 is an aggregate amount, i.e., it is the maximum permissible bonding level for funding the two existing purposes under s. 84.59 as well as the new purpose (the Marquette interchange reconstruction project). I glean from DOT's issue paper submitted with the drafting instructions that this is the intent.

Is the treatment of s. 84.014 (5m) (a) in the attached draft consistent with your intent? Section 84.014 (5m) was enacted as part of 2001 Act 109 (the budget adjustment bill). I included treatment of s. 84.014 (5m) (a) in the attached draft because, if the Marquette interchange reconstruction project meets the criteria specified in s. 84.014 (5m) (a) and s. 84.014 (5m) (a) is not treated in the attached draft, the provisions of s. 84.014 (5m) (a) could theoretically be circumvented by funding freeway expansion solely through the use of revenue bond proceeds.

Aaron R. Gary Legislative Attorney Phone: (608) 261–6926

E-mail: aaron.gary@legis.state.wi.us

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1191/1dn ARG:kjf:pg

January 2, 2003

ATTN: Benjamin Vail

Section 84.014 addresses Southeast Wisconsin freeway rehabilitation projects, one of which is the Marquette interchange reconstruction project. By statute, these projects are not "major highway projects." Under existing law, general obligation bonding may be used for these projects only if there is a shortfall in federal highway funding, but no revenue bonding may be used for these projects. See ss. 84.555 and 84.59. Based upon my interpretation of the drafting instructions, the attached draft allows revenue bonding to fund the Marquette interchange reconstruction project, but not any other Southeast Wisconsin freeway rehabilitation project. Is this consistent with your intent? Because the draft allows revenue bonding only for the Marquette interchange reconstruction project, the appropriations necessary to provide for such bonding reference only this project and not "Southeast Wisconsin freeway rehabilitation" projects.

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Aaron R. Gary Legislative Attorney Phone: (608) 261–6926

E-mail: aaron.gary@legis.state.wi.us

#### Gary, Aaron

From:

Grinde, Kirsten

Sent:

Friday, January 31, 2003 11:37 PM

To:

Gary, Aaron

Subject:

FW: LRB 1191/1

Aaron,

Hopefully the last e-mail message on this draft......Should the \*\*\*\*Note for section 2 be removed since the language of s. 20.395 (4) (jr) states "Estimated disbursement under this paragraph shall not be included in the schedule under s. 20.005."?

Thanks,

Kirsten

----Original Message----

From:

Grinde, Kirsten

Sent:

Friday, January 31, 2003 8:49 PM

To: Subject: Gary, Aaron

FW: LRB 1191/1

Aaron,

The new total for bonding (page 4, line 10) should be \$2,916,403,000.

This is an increase of \$1,163,335,500 over the current law level.

Let me know if you have any questions.

Thanks,

Kirsten

----Original Message----

From:

Grinde, Kirsten

Sent:

Friday, January 31, 2003 6:15 PM

To: Subject: Gary, Aaron LRB 1191/1

Aaron,

Please make the following change to LRB 1191/1:

Remove the limitation of 55% for bonding for the Marquette Interchange (Beginning on page 3, line 25 the language after the comma should be removed as well as the first three lines on page 4 of the draft).

I am working with DOT to tie out the amount of bonding that will be needed (we will send over one number that will include majors, Marquette and state highway rehabilitation, unless you believe that the rehab amount should be in the bonding for rehab draft).

Please let me know if you have any questions.

Thanks,

Kirsten

#### Gary, Aaron

From:

Gary, Aaron

Sent:

Saturday, February 01, 2003 3:51 PM

To:

Grinde, Kirsten

Cc: Subject: Fast, Timothy RE: LRB 1191/1

Kirsten,

The first two changes are made and the "/2" draft is in route. With regard to the last comment, I think the \*\*\*\*Note stays in - I think that last line of CR s. 20.395 (4) (jr) simply means that no dollar amount should be entered in the schedule in estimation of the disbursements under the appropriation; I think the number and title of this newly created appropriation should still appear in the schedule. Aaron

Aaron R. Gary Legislative Attorney Legislative Reference Bureau 608.261.6926 (voice) 608.264.6948 (fax) aaron.gary@legis.state.wi.us

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Grinde, Kirsten

Sent:

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This is an increase of \$1,163,335,500 over the current law level.

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Kirsten

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From:

Grinde, Kirsten

Sent:

Friday, January 31, 2003 6:15 PM

To: Subject: Gary, Aaron LRB 1191/1

Aaron,



## State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1191/1/ Z
ARG: Hoff:pg

Shup

DOA:.....Vail – BB0274, Increase authorized transportation revenue bonding level; authorize bonding for Marquette interchange project

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

### Analysis by the Legislative Reference Bureau

#### TRANSPORTATION

#### **HIGHWAYS**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$1,753,067,500. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards. However, under current law, the Marquette interchange reconstruction project is not classified as a major highway project.

This bill increases the revenue bond limit from \$1,753,067,500 to \$2,537,663,000. Additionally, the bill provides that revenue bond proceeds may be

expended for the Marquette interchange reconstruction project.

\$ 2,916,403,000

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For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 20.395 (3) (cs) of the statutes is created to read:

20.395 (3) (cs) Marquette interchange reconstruction, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of the Marquette interchange reconstruction project specified under s. 84.014 if financed under s. 84.59, for the purpose of financing such project.

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 20.395 (4) (jr) of the statutes is created to read:

20.395 (4) (jr) Marquette interchange reconstruction project revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the Marquette interchange reconstruction project under s. 84.014 for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

\*\*\*\*NOTE: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 3.** 20.395 (9) (th) of the statutes is amended to read:

20.395 (9) (th) Temporary funding of projects financed by revenue bonds. A sum sufficient to provide initial, temporary funding for any project to be financed under s. 84.59 which that is a major highway project enumerated under s. 84.013 (3) or, a project under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01

(30), or the Marquette interchange reconstruction project under s. 84.014. The department shall keep a separate account of expenditures under this paragraph for each such project. As soon as moneys become available from the proceeds of the obligation issued under s. 84.59 to finance that project, an amount equal to the amounts expended under this paragraph shall be paid from those proceeds into the transportation fund and credited to the appropriation account under sub. (3) (br) or (cs) or (4) (at).

**SECTION 4.** 84.014 (2) of the statutes is amended to read:

84.014 (2) Subject to ss. 84.555, 84.59, and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the existing freeway, may be funded only from the appropriations under ss. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) and 20.866 (2) (uum).

**SECTION 5.** 84.014 (5m) (a) of the statutes is amended to read:

84.014 (5m) (a) Notwithstanding any other provision of this section, the department may not expend any moneys from the appropriations under s. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes 5 miles or more in length to the existing freeway unless the project is specifically enumerated in a list under par. (b).

**SECTION 6.** 84.59 (1) of the statutes is amended to read:

84.59 (1) Transportation facilities under s. 84.01 (28) and, major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18 percent and in accordance with subch.

funding for the Warquette interchange reconstruction project with such proceeds

now not exceed 5% of the total funds expended for the Marquette interchange

reconstruction project.

**SECTION 7.** 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed \$1,753,067,500 \$2.51555\$, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and, major highway projects for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

(END)

#**2**,916,403,000



## State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1191/# 3
ARG:kjf:cmh

DOA:.....Vail – BB0274, Increase authorized transportation revenue bonding level; authorize bonding for Marquette interchange project

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

J-Note

AN ACT ...; relating to: the budget.

### Analysis by the Legislative Reference Bureau

#### **TRANSPORTATION**

#### **HIGHWAYS**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$1,753,067,500. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards. However, under current law, the Marquette interchange reconstruction project is not classified as a major highway project.

This bill increases the revenue bond limit from \$1,753,067,500 to \$2,916,403,000. Additionally, the bill provides that revenue bond proceeds may be expended for the Marquette interchange reconstruction project.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 20.395 (3) (cs) of the statutes is created to read:

20.395 (3) (cs) Marquette interchange reconstruction, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of the Marquette interchange reconstruction project specified under s. 84.014 if financed under s. 84.59, for the purpose of financing such project.

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**Section 2.** 20.395 (4) (jr) of the statutes is created to read:

20.395 (4) (jr) Marquette interchange reconstruction project revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the Marquette interchange reconstruction project under s. 84.014 for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats

**SECTION 3.** 20.395 (9) (th) of the statutes is amended to read:

20.395 (9) (th) Temporary funding of projects financed by revenue bonds. A sum sufficient to provide initial, temporary funding for any project to be financed under s. 84.59 which that is a major highway project enumerated under s. 84.013 (3) er, a project under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01

(30), or the Marquette interchange reconstruction project under s. 84.014. The department shall keep a separate account of expenditures under this paragraph for each such project. As soon as moneys become available from the proceeds of the obligation issued under s. 84.59 to finance that project, an amount equal to the amounts expended under this paragraph shall be paid from those proceeds into the transportation fund and credited to the appropriation account under sub. (3) (br) or (cs) or (4) (at).

**SECTION 4.** 84.014 (2) of the statutes is amended to read:

84.014 (2) Subject to ss. 84.555, 84.59, and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the existing freeway, may be funded only from the appropriations under ss. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) and 20.866 (2) (uum).

**SECTION 5.** 84.014 (5m) (a) of the statutes is amended to read:

84.014 (5m) (a) Notwithstanding any other provision of this section, the department may not expend any moneys from the appropriations under s. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes 5 miles or more in length to the existing freeway unless the project is specifically enumerated in a list under par. (b).

**SECTION 6.** 84.59 (1) of the statutes is amended to read:

84.59 (1) Transportation facilities under s. 84.01 (28) and, major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

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**SECTION 7.** 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed \$1,753,067,500 \$2,916,403,000, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and, major highway projects for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

(END)

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB–1191/3dn ARG:[..;...

ATTN: Kirsten Grinde

The attached draft is identical to the "/2" draft except that it deletes the "\*\*\*\*Note" after created s. 20.395 (4) (jr) due to the last sentence of this appropriation's text.

Aaron R. Gary Legislative Attorney Phone: (608) 261–6926

E-mail: aaron.gary@legis.state.wi.us

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1191/3dn ARG:kmg:rs

**February 3, 2003** 

ATTN: Kirsten Grinde

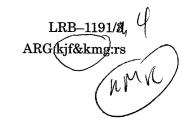
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## State of Misconsin 2003 - 2004 LEGISLATURE



DOA:.....Vail – BB0274, Increase authorized transportation revenue bonding level; authorize bonding for Marquette interchange project

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

## Analysis by the Legislative Reference Bureau TRANSPORTATION

#### **HIGHWAYS**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$1,753,067,500. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards. However, under current law, the Marquette interchange reconstruction project is not classified as a major highway project.

This bill increases the revenue bond limit from \$1,753,067,500 to \$2,916,403,000. Additionally, the bill provides that revenue bond proceeds may be expended for the Marquette interchange reconstruction project.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 20.395 (3) (cs) of the statutes is created to read:

20.395 (3) (cs) Marquette interchange reconstruction, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of the Marquette interchange reconstruction project specified under s. 84.014 if financed under s. 84.59, for the purpose of financing such project.

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 20.395 (4) (jr) of the statutes is created to read:

20.395 (4) (jr) Marquette interchange reconstruction project revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the Marquette interchange reconstruction project under s. 84.014 for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 3. 20.395 (9) (th) of the statutes is amended to read:

20.395 (9) (th) Temporary funding of projects financed by revenue bonds. A sum sufficient to provide initial, temporary funding for any project to be financed under s. 84.59 which that is a major highway project enumerated under s. 84.013 (3) er, a project under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01 (30), or the Marquette interchange reconstruction project under s. 84.014. The

department shall keep a separate account of expenditures under this paragraph for each such project. As soon as moneys become available from the proceeds of the obligation issued under s. 84.59 to finance that project, an amount equal to the amounts expended under this paragraph shall be paid from those proceeds into the transportation fund and credited to the appropriation account under sub. (3) (br)

(cs) or (4) (at).

**Section 4.** 84.014 (2) of the statutes is amended to read:

84.014 (2) Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the existing freeway, may be funded only from the appropriations under ss. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) and 20.866 (2) (uum).

**SECTION 5.** 84.014 (5m) (a) of the statutes is amended to read:

84.014 (5m) (a) Notwithstanding any other provision of this section, the department may not expend any moneys from the appropriations under s. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes 5 miles or more in length to the existing freeway unless the project is specifically enumerated in a list under par. (b).

**SECTION 6.** 84.59 (1) of the statutes is amended to read:

84.59 (1) Transportation facilities under s. 84.01 (28) and, major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

SECTION 7. 84.59 (6) of the statutes is amended to read:

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84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed \$1,753,067,500 \$2,916,403,000, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and, major highway projects for the purposes under ss. 84.06 and 84.09. And the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

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(END)

State highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cg) and the purposes under ss. 84.06 and 84.09,

D-note

#### 2003-2004 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1191/4ins ARG:...:

\*\*\*\*Note: This is reconciled s. 20.395 (9) (th). This Section has been affected by drafts with the following LRB numbers: LRB-1191 and LRB-1837.

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# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1191/4dn ARG: 1/2

Date

ATTN: Benjamin Vail and Kirsten Grinde

This draft reconciles LRB-1191 and LRB-1837. Both of these drafts should continue to appear in the compiled bill. The treatment of amended ss. 20.395 (9) (th) and 84.59 (1) and (6) that formerly appeared in LRB-1837 has been incorporated into LRB-1191. The treatment of created s. 20.395 (4) (jr) has been deleted from LRB-1191 and incorporated into amended s. 20.395 (4) (jq) in LRB-1837, and the corresponding cross-reference change has been made to amended s. 84.014 (2) in LRB-1191.

The attached draft also includes a correction by deleting a cross-reference in s. 84.014 (2) that should have been deleted when this was redrafted to a "/2" (to eliminate the 55% limit on bonding for the Marquette interchange).

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E-mail: aaron.gary@legis.state.wi.us

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB–1191/4dn ARG:kjf:jf

February 6, 2003

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